

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

CARE ONE AT MADISON AVENUE, LLC D/B/A
CARE ONE AT MADISON AVENUE,

Petitioner,

Case Nos. 15-1010 & 15-1025

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent.

STATEMENT OF ISSUES TO BE RAISED

Pursuant to this Court's January 16, 2015 Order, Care One at Madison Avenue, LLC d/b/a Care One at Madison Avenue ("Petitioner") sets forth its Statement of Issues that it expects to raise in this proceeding:

1. Whether the Respondent National Labor Relations Board ("Board") erred by concluding that Petitioner violated the National Labor Relations Act ("Act") merely by attempting to comply with the Board's contradictory precedent regarding benefits increases during a union campaign.
2. Whether the Board erred in finding that Petitioner violated Section 8(a)(1) of the Act by showing a slideshow containing employees' images during a mandatory meeting held for employees.

3. Whether the Board erred in finding that Petitioner violated Section 8(a)(1) of the Act by posting a memorandum reiterating Petitioner's workplace violence prevention policy.
4. Whether the Board erred in finding that Petitioner violated Section 8(a)(1) of the Act by distributing a leaflet stating truthfully that, among other things, a strike could result in certain risks.
5. Whether the Board's Decision and Order of December 16, 2014, was invalid because the Board lacked a lawful quorum of at least three members when the case was prosecuted by the Acting General Counsel and the Regional Director and decided by the Administrative Law Judge.

Dated: February 12, 2015

Respectfully submitted,

s/Paul D. Clement

PAUL D. CLEMENT (D.C. Bar 433215)

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CERTIFICATE OF SERVICE

I certify that on February 12, 2015, I electronically filed the foregoing Statement of Issues with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit using the CM/ECF system. I further certify that the following participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system:

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